

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

**JANUARY 18, 2002**

(Published January 26, 2002,  
in *Finance and Commerce*)

Council Chamber  
350 South 5<sup>th</sup> Street  
Minneapolis, Minnesota  
January 18, 2002 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Biernat, President Ostrow.

Goodman moved acceptance of the minutes of the regular meeting of December 28, 2001, and the Organization Meeting held January 2, 2002. Seconded.

Adopted upon a voice vote.

Goodman moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

## PETITIONS AND COMMUNICATIONS

### HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (267596)

Committee Interests for Calendar Year 2002: Suggested Committee Discussion Items.

### HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267597)

First Opportunity Program at Folwell Middle School: Execute Modification #1 to Juvenile Justice Title V Grant to increase amount by \$50,000 and extend performance period to December 31, 2002 to provide holistic services to youth ages 11 to 15 that live in Phillips Neighborhood and surrounding community.

Youth Risk Behavior Services: Issue amended Fund Availability Notice to Children's Hospitals and Clinics to extend termination date to June 30, 2002 for continued services at Teen Age Medical Services clinic.

Public Health Advisory Committee: Approve appointment of Joan Patterson and Curt Fernandez for two-year terms to expire December 31, 2003.

### HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267598)

Central Weed & Seed Initiative: Transfer \$7,500 from Health & Family Support to Police Department to purchase three computers for Third Precinct's Community Response Team.

Twin Cities Healthy Start Project: Apply for continuation grant seeking \$925,000 from United States Department of Health and Human Services for Year IV funding to improve birth and infant health outcomes among African American and American Indian populations of Minneapolis and St. Paul.

Covering Kids Project: Accept \$18,768 from Children's Defense Fund, through Robert Wood Johnson and Bush Foundations, to reduce the number of children in Minneapolis who lack health insurance; and Approve appropriation.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

**LICENSES AND CONSUMER SERVICES (267599)**

First Fremont Market (3358 Fremont Av N): Grant application for Grocery and Tobacco Dealer Licenses, subject to conditions.

Lowry Food Market (628 Lowry Av N): Grant application for Grocery and Tobacco Dealer Licenses, subject to conditions.

Waufana's Food Market (2326 Lyndale Av N): Approve additional license conditions in conjunction with issuing Grocery, Food Manufacturing and Tobacco Licenses.

Licenses: Applications.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

**INSPECTIONS DEPARTMENT (267600)**

Sensitive Surface Graffiti Removal: Extend contracts with Graffiti Removal Services and Sani-Masters (Graffiti Solutions) until all budgeted funds have been expended for graffiti removal activities.

**POLICE DEPARTMENT (267601)**

Hennepin County/Minneapolis Drug Task Force: Accept grant awards of \$300,000 and \$18,356 in federal and state funds from Minnesota Department of Public Safety to fund officer overtime, training and equipment for calendar year 2002; Approve matching contribution of \$60,000 from Police Special Revenue Fund; and Approve appropriation.

Police Services for Public Housing Developments: Execute contract with Public Housing Authority to provide services of 10 patrol officers, two sergeants and one lieutenant.

Treadmill Testing for Police Employees: Execute contract with Cardiovascular Consultants Ltd to provide testing to measure cardiovascular fitness levels for employees through calendar year 2004.

**TRANSPORTATION AND PUBLIC WORKS:**

**FINANCE DEPARTMENT (267602)**

Budget Update: Preliminary report on the impact of Governor's budget proposal on the City.

**PUBLIC WORKS AND ENGINEERING (267603)**

Traffic Zones, Restrictions and Controls: Quarterly submittal indicating changes that have been administered by staff.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

**PLANNING COMMISSION/DEPARTMENT (267604)**

Airport: Update on Metropolitan Airports Commission Part 150 Sound Insulation Program.

**PUBLIC WORKS AND ENGINEERING (267605)**

Light Rail Transit - Signal/Communications Bungalows: Agreement with Metropolitan Council to allow placement of a structure within the Government Center Municipal Parking Ramp.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**PUBLIC WORKS AND ENGINEERING (267605.1)**

Paving Construction Appropriation Increases: Receipt of funds from Hennepin County for the Portland Av Project.

**PURCHASING (267606)**

Bid: OP #5763, accept low bid of Gen Con, Inc. in the amount of \$1,795,158 for facility renovation at the Minneapolis Police Downtown Command.

**WAYS AND MEANS BUDGET:**

CONVENTION CENTER (267607)

Convention Center Expansion Project: Change Management Actions.

COORDINATOR (267608)

Charitable Campaign: Final report on 2001 activities.

FINANCE DEPARTMENT (267609)

Edison Indoor Ice Arena Project: Status report on financial obligations of the Edison Youth Hockey Association.

**WAYS AND MEANS BUDGET (See Rep):**

CONVENTION CENTER (267610)

Change Orders: a) Increase contract with Gephart Electric Company by \$13,005; b) Increase contract with Impulse Group by \$77,771; c) Increase contract with Premier Electrical Corporation by \$81,300; d) Increase contract with Kellington Construction by \$104,830.

COORDINATOR (267611)

Appointment of City Coordinator: Notice of Executive Committee approval of the appointment of John Moir.

Mpls Empowerment Zone Activities: Accept donation of US Bank.

Alternative Surety Approach for New Central Library Project: Direct project implementation team to continue examine alternative bonding process.

CULTURAL AFFAIRS (267612)

Donation of Funds: Accept funds donated by National City Bank Foundation for Arts in the Parks Program.

FINANCE DEPARTMENT (267613)

Bank Service Charges: Ordinance amending Title 5, Chapter 91 of the Mpls Code of Ordinances relating to Building Code: Permit Fees, to increase service charges for returned checks.

Utility Bill Inserts: Minneapolis Housing and Home Improvement Fair and the Teen and Job Opportunity Fair and encouraging use of backyard composting bins.

Workers Compensation Settlement: Claim of Wallace Benson.

GRANTS AND SPECIAL PROJECTS (267614)

Minneapolis Public Housing Authority Mobility Counseling Program: Provision of Community Development Block Grant funds.

HUMAN RESOURCES (267615)

Employee Criminal Background Check Policy: Approve modified policy.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (267616)

KIVA System: Increase contract with KIVA, Inc. for system upgrade and annual maintenance.

OPERATIONS & REGULATORY SERVICES (267617)

Extraordinary Salary Step Increase: Request that Steve Hanson receive step five salary for position of District Supervisor, Construction Inspections Services.

POLICE DEPARTMENT (267618)

International Chief's of Police Conference: Authorize that the City will accept responsibility for shortfall in funding for host City responsibilities.

**ZONING AND PLANNING:**

PLANNING COMMISSION/DEPARTMENT (267619)

Site Plan Revocation: New Orient Market, 2800 - 1st Ave S.

**ZONING AND PLANNING (See Rep):**

PLANNING COMMISSION/DEPARTMENT (267620)

Appeal:

Janet Graham, for Ventura Village: Appeal filed from decision approving land use applications of Project for Pride in Living/Collaborative Village Initiative, for conditional use permit, variances & site plan review at 815 & 819 Franklin Ave, 2000, 2018 & 2022 Elliot Ave S, w/Attachments.

Rezoned:

Project for Pride in Living/Collaborative Village Initiative: 815 & 819 Franklin Ave, 2000, 2018 & 2022 Elliot Ave S, w/Attachments (same file as appeal of Janet Graham).

**PLANNING COMMISSION:**

SKYWAY EVENT SERVICES (267621)

Permission to vacate NW quadrant of Hennepin Av E & Stinson Blvd contiguous to the western border of 1809 Hennepin Av E.

**FILED:**

CITY CLERK/SPECIAL PERMITS (267622)

25-1/2 St, 1833 (Antonio L Holliday) move house;

25-1/2 St, 1855 (Antonio L Holliday) move house

34th Av S, 5750 (Lawrence Sign) sign;

Central Av NE, 1227 (Arrow Sign) sign;

Thomas Av S, 2900 (Lawrence Sign) sign.

CITY CLERK (267623)

Harmon Place Historic District: Verbatim Transcript of portion of Zoning & Planning meeting of October 30, 2001, relating to Billy Graham Evangelistic Association vs. City of Minneapolis.

MINNESOTA STATE OFFICES-Auditor (267624)

Minneapolis Neighborhood Revitalization Policy Board Year End 12/31/2000, audit report.

**REPORTS OF  
STANDING COMMITTEES**

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

**H&HS** - Your Committee, having under consideration the First Opportunity Program at Folwell Middle School that provides holistic services to youth ages 11 to 15 that live in the Phillips Neighborhood and the surrounding community, now recommends that the proper City Officers be authorized to execute Modification #1 to Juvenile Justice Title V Grant Contract #90729 to increase the grant amount by \$50,000 and extend the performance period through December 31, 2002 to provide total family service, case management, career planning and exploration, first opportunity for employment with a community service organization, work-site one to one mentoring, peer mentoring and leadership development skills workshops.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to issue amended Fund Availability Notice #Y6-21, under Master Contract #14970, to Children's Hospitals and Clinics to extend the termination date to June 30, 2002 to provide continued youth risk behavior services through their Teen Age Medical Services Clinic utilizing unexpended funds from the Year 2001 project period, payable from Health & Family Support (060-860-8623).

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the following persons be appointed to the Public Health Advisory Committee, for two-year terms to expire December 31, 2003:

a. Joan Patterson, representing the School of Public Health.

b. Curt Fernandez, representing Environmental Health.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**H&HS & W&M/Budget** - Your Committee, having received a funding recommendation from the Central Weed & Seed Steering Committee, now recommends passage of the accompanying Resolution transferring \$7,500 in federal Weed & Seed funds for the Central Initiative from the Department of Health & Family Support to the Police Department to purchase three computers for use by the Third Precinct's Community Response Team.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 18, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 22, 2002)

**RESOLUTION 2002R-001**  
**By Johnson Lee and Johnson**

**Amending The 2002 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. decreasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8606) by \$7,500;

b. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P300) by \$7,500.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 18, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 22, 2002)

**H&HS & W&M/Budget** - Your Committee, having under consideration the Twin Cities Healthy Start Project, now recommends that the proper City Officers be authorized to apply for a continuation grant seeking \$925,000 from the United States Department of Health and Human Services for Year IV funding for the Project to improve birth and infant health outcomes among the African American and American Indian populations of Minneapolis and St. Paul.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS & W&M/Budget** - Your Committee, having under consideration the Covering Kids Project of the Healthy Learners Board, an initiative to reduce the number of children in Minneapolis who lack health insurance, now recommends that the proper City Officers be authorized to accept \$18,768 from the Children's Defense Fund through the Robert Wood Johnson and Bush Foundations to provide funding for outreach activities to identify children without health insurance and to assist their families in applying, if eligible, for Medical Assistance or MinnesotaCare during the period June 1, 1999 through May 31, 2002.

Your Committee further recommends passage of the accompanying Resolution appropriating \$18,768 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-002**  
**By Johnson Lee and Johnson**

**Amending The 2002 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8621) by \$18,768 and increasing the Revenue Source (060-860-8621 - Source 3720) by \$18,768.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

**PS&RS** - Your Committee, having under consideration the application of Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 229 Cedar Av, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire January 1, 2003, and having held a public hearing thereon, now recommends that said license be sent forward without recommendation.

Zerby moved to amend the report by deleting the language "that said license be sent forward without recommendation" and inserting in lieu thereof "that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Declining to Vote - Benson.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of Fossland-Olson Inc, dba Lauras 1029 Bar, 1029 Marshall St, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership from Lauras 1029 Bar Inc) to expire January 1, 2003, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Biernat moved to amend the report by deleting the language "dba Lauras 1029 Bar" and inserting in lieu thereof "dba Scotts 1029 Bar". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Declining to Vote - Benson.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 18, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 22, 2002)

**PS&RS** - Your Committee, having under consideration the application of First Fremont Market Inc, dba First Fremont Market, 3558 Fremont Av N, for Grocery and Tobacco Dealer Licenses to expire April 1, 2002, now recommends that said licenses be granted, subject to the following conditions, as more fully set forth in Petn No 267599 on file in the Office of the City Clerk and made a part of this report by reference:

- a. the licensee will work with the Police Department to create a system for issuing and tracking 90-day No Trespassing Notices complete with pictures of trespassed people.
- b. the licensee will take back control of the entryway to the business and parking lots by having staff ask loiterers and people causing other problems to leave the property. If people do not comply, staff will immediately call 911 and will cooperate with responding officers and issue 90-day No Trespassing Notices.
- c. the licensee will always have posted No Trespassing signs on all four sides of the building.
- d. the licensee agrees to chain off the lot after hours to prevent vehicles from using the lot, to be installed by February 28, 2002.
- e. the licensee will call Officer Judy Perry by January 10, 2002 to schedule a formal security survey, to be completed by January 17, 2002.
- f. the licensee agrees to keep all lights properly functioning and to add lights if recommended by Officer Perry.
- g. the licensee agrees to pick up trash and litter at least twice per day so the area within 100 feet of the property line is free of litter and debris. Sidewalk trash containers will be emptied three times per week.
- h. the licensee agrees to steam clean the sidewalks around the business as soon as weather permits, but not later than April 31, 2002.
- i. the licensee agrees to keep the windows completely free of signs and materials.
- j. the licensee agrees to remove all old or faded signs from the exterior of the building and to keep signs and banners hung straight with all corners fastened.
- k. the licensee agrees to put in a rear camera and possibly a camera in the front by February 28, 2002, and to keep all cameras in good working order.
- l. the licensee agrees to have CCP/SAFE or Officer Perry make a presentation to its staff on the proper way to call 911 by January 31, 2002. The licensee agrees to instruct its staff to call 911 as soon as they observe a problem.
- m. the licensee will hold a training session with its staff and the Licenses Division to address the problem of tobacco compliance.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of K & H Inc, dba Lowry Food Market, 628 Lowry Av N, for Grocery and Tobacco Dealer Licenses to expire April 1, 2002, subject to the following conditions, as more fully set forth in Petn No 267599 on file in the Office of the City Clerk and made a part of this report by reference:

- a. the licensee will work with the Police Department to create a system for issuing and tracking 90-day No Trespassing Notices complete with pictures of trespassed people.
- b. the licensee will take back control of the entryway to the business and parking lots by having staff ask loiterers and people causing other problems to leave the property. If people do not comply, staff will immediately call 911 and will cooperate with responding officers and issue 90-day No Trespassing Notices.
- c. the licensee will always have posted No Trespassing signs on all four sides of the building.
- d. the licensee will call Officer Judy Perry by January 17, 2002 to schedule a formal security survey, to be completed by January 25, 2002.
- e. the licensee agrees to chain off the lot after hours to prevent vehicles from using the lot, if it is recommended by Officer Perry.

f. the licensee agrees to keep all lights properly functioning and to add lights if recommended by Officer Perry.

g. the licensee agrees to restripe the parking area so that spaces are clearly marked and traffic is directed to legal parking spaces, to be complete as soon as weather permits, but not later than April 31, 2002.

h. the licensee agrees to pick up trash and litter at least twice per day so that the area within 100 feet of the property line is free of litter and debris, and will dump trash containers every three days.

i. the licensee agrees to steam clean the sidewalks around the business as soon as weather permits, but not later than April 31, 2002.

j. the licensee agrees to keep the windows of the business completely free of signs and materials.

k. the licensee agrees to remove all old or faded signs from the exterior of the building and to keep signs and banners hung straight with all corners fastened.

l. the licensee agrees to keep all cameras in good working order.

m. the licensee agrees to have CCP/SAFE or Officer Perry make a presentation to its staff on the proper way to call 911 by January 31, 2002. The licensee agrees to instruct its staff to call 911 as soon as a problem is observed.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of W & F Inc, dba Waufana's Food Market, 2326 Lyndale Av N, for Grocery, Food Manufacturing and Tobacco Licenses, and having granted said licenses subject to conditions passed by the City Council on December 28, 2001, now recommends that the following additional license conditions be approved in conjunction with the issuing of said licenses, as more fully set forth in Petn No 267599 on file in the Office of the City Clerk and made a part of this report by reference:

a. the licensee agrees to repair the rear camera by January 31, 2002, and to keep all cameras in good working order.

b. the licensee agrees to remove the two phone booth shells and signs on the building by January 31, 2002.

c. the licensee agrees to have the CCP/SAFE Team make a presentation to its staff on the proper way to call 911 by January 31, 2002. The licensee also agrees to instruct its staff to call 911 as soon as a problem is observed.

d. the licensee will provide License Inspector Angie Hugen with a list of all vendors doing deliveries by January 7, 2002, including addresses and phone numbers, and will be informed of parking and traffic issues.

e. the licensee agrees to attend a community meeting on January 3, 2002 at 7:00 p.m. at St. Philips Church on 25th & Bryant.

f. the licensee agrees to meet with the CCP/SAFE Team and Lieutenant Przynski by the end of each month during the months of January through April to review progress and make any necessary changes to continue to reduce crime issues.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

**Off-Sale Liquor, to expire January 1, 2003**

PLR Holding Corporation, dba Jug Liquor Store, 228 W Broadway;



**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2003**

University Gateway Corp, dba University Gateway/D'Amico Catering at Gateway, 200 Oak St;  
South Beach LLC, dba South Beach LLC, 323 1st Av N;  
Gay Nineties Inc, dba Gay Ninties, 400 Hennepin Av, 1st & 2nd floors;  
Columbia Park Business Center Corp, dba Minneapolis Grand Hotel, 615 2nd Av S;

**On-Sale Liquor Class A with Sunday Sales, to expire January 5, 2002**

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises,  
January 5, 2002, 7:00 p.m. to 1:00 a.m., Ambassador Press Inc);

**On-Sale Liquor Class A with Sunday Sales, to expire January 11, 2002**

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises,  
January 11, 2002, 6:00 p.m. to 12:00 a.m., Metro Dental Care);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises,  
January 12, 2002, 6:00 p.m. to 12:00 a.m., Colonade Properties);

**On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2003**

Lymar Inc, dba Lyon's Pub, 16 S 6th St, ground floor;  
Murray's Inc, dba Murray's, 24 S 6th St, 1st floor;  
Baz Inc, a Minnesota Corporation, dba Champps, 100 N 6th St (includes Class B outdoor  
entertainment);

Harveys Operations LLC, dba Harveys, 106 N 3rd St;

River Jakes Inc, dba Nye's Polonaise Room, 112 E Hennepin Av;

CSM Hospitality Inc, dba Courtyard by Marriott, 225 3rd Av S;

Nath-Son Inc, dba Spring Street Bar & Grill, 355 Monroe St;

Caboose Enterprises, Inc, dba Cabooze, 913 Cedar Av, 1st floor;

**On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2003**

8th Street Garage Inc, dba 8th St Grill & Tavern, 800 Marquette Av;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2003**

Aster Pictures Corporation, dba Aster, 125 Main St SE;

Historic Theatre Group Ltd, dba Historic Orpheum Theatre, 910 Hennepin Av;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2002**

J D Hoyt's Inc, dba J D Hoyt's, 301 Washington Av N;

**On-Sale Liquor Class D with Sunday Sales, to expire January 1, 2003**

Union Grill & Bar LLC, dba Union Grill & Bar, 312 Central Av SE;

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2003**

Brinda Companies Inc, dba Pracna on Main, 117 Main St SE;

OSF International Inc, dba Old Spaghetti Factory, 233 Park Av;

B & A Restaurant Corporation, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av;

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2002**

510 Groveland Assoc, Minnesota Cooperative, dba 510 Restaurant, 510 Groveland Av;

**Temporary On-Sale Liquor**

Minnesota Public Radio, dba Minnesota Public Radio, 45 E 7th St, St. Paul (February 8, 2002, 3:00  
p.m. to 9:00 p.m.; February 9, 2002, 11:00 a.m. to 7:00 p.m.; and February 10, 2002, 11:00 a.m. to 5:00  
p.m. at Convention Center; Licensed Facilitator: Kelber Catering).

Adopted. Yeas, 11; Nays none.

Declining to Vote - Benson.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for business licenses  
(including provisional licenses) as per list on file and of record in the Office of the City Clerk under date  
of January 18, 2002, subject to final inspection and compliance with all provisions of the applicable codes  
and ordinances (Petn No 267599):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Block Manufacturer; Courtesy Bench; Dry Cleaner – Non-flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Drywall Contractor; Place of Entertainment; Caterers; Confectionery; Food Distributor; Grocery; Food Manufacturer; Meat Markets; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Heating, Air Conditioning, Ventilating Class A; Heating, Air Conditioning, Ventilating Class B; Hospital; Hotel/Motel; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer – Cycles & Motorbikes; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Oil Burner Installer; Parking Lot Commercial Class A; Pet Shop; Plasterer; Plumber; Refrigeration Systems Installer; Steam & Hot Water Systems Installer; Suntanning Facility; Swimming Pool – Public; Taxicab Vehicle; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Biernat moved to amend the Petition, Page #45, Item #397, to postpone the application submitted by Asase Yaa Inc, dba Asase Yaa Juice Bar, 2922 Bryant Av S, for a Food Manufacturer License (new business). Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling-Lawful Class B**

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, PO Box 22115 (one day off-site, March 13, 2002 at Jax Cafe, 1928 University Av NE);

Sexual Violence Center, dba Sexual Violence Center, 2100 Pillsbury Av S (Site: Viking Bar, 1829 Riverside Av);

Sexual Violence Center, dba Sexual Violence Center, 2100 Pillsbury Av S (Site: Market Bar-B-Que, 1414 Nicollet Av);

**Gambling Lawful Exempt**

Guthrie Theater, dba Guthrie Theater, 725 Vineland Pl (Raffle, March 9, 2002 at McNamara Alumni Center, University of Minnesota Gateway, 200 Oak St SE);

Down Syndrome Association of Minnesota, dba Down Syndrome Association of Minnesota, 668 Transfer Rd, St. Paul (Raffle, June 9, 2002 at 800 Columbia Blvd);

Church of St. Albert the Great, dba Church of St. Albert, 2835 33rd Av S (Bingo, February 22, 2002).

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration Taxicab Driver's License #03818 held by William Gregory Nelson, 2330 Highway 47, Isle, Minnesota, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for violation of Section 341.250(c) of the Taxicab Code for fighting with another taxicab driver, and Section 609.224 of the Code for physically assaulting another person, and has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay an administrative fine of \$300 in the form of a money order to the City of Minneapolis.

b. that said license be suspended for a period of 30 days. The licensee will surrender his taxicab driver's license to the Office of Licenses & Consumer Services on December 17, 2001, to be returned to the licensee on January 17, 2002.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R. T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** - Your Committee, having under consideration the Police Department's participation in the Hennepin County/Minneapolis Drug Task Force to combat the sale and production of drugs, now recommends that the proper City Officers be authorized to accept grant awards of \$300,000 in federal funds and \$18,356 in state funds from the Minnesota Department of Public Safety, Office of Drug Policy, to provide funding for officer overtime, training and equipment during calendar year 2002. Further, that the Police Department be authorized to contribute \$60,000 in matching funds from the Police Special Revenue Fund.

Your Committee further recommends passage of the accompanying Resolution appropriating \$318,356 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-003**

**By Biernat and Johnson**

**Amending The 2002 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C003) by \$300,000 and increasing the Revenue Source (030-400-C003 - Source 3210) by \$300,000.

b. increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-C003) by \$18,356 and increasing the Revenue Source (060-400-C003 - Source 3215) by \$18,356.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Public Housing Authority, in an amount not to exceed \$1,044,900, to provide police services to public housing developments. Said contract shall be for the period January 1 through December 31, 2002 to provide the services of 10 patrol officers, two sergeants and one lieutenant. Funding has been allocated in the Police Department's 2002 General Fund budget, with expenditures to be reimbursed by the Public Housing Authority.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute a contract with Cardiovascular Consultants, Ltd to provide GXT Treadmill tests for Police Department personnel to measure cardiovascular fitness levels and offer programs for improvement. Said contract shall be payable as follows: \$101 per test from January 1, 2002; \$105 per test from 2002 to 2003; and \$110 from 2003 through December 31, 2004.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the provision of sensitive surface graffiti removal activities, now recommends that the proper City Officers be authorized to extend Contract #14409 and #14454 with Graffiti Removal Services and Sani-Masters (Graffiti Solutions) until all budgeted funds have been utilized (\$70,000) for graffiti removal activities, payable from Inspections (010-850-8510).

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** - Your Committee, having under consideration the Metropolitan Airports Commission Part 150 Sound Insulation Program, now recommends passage and summary publication of the accompanying Resolution requesting the Metropolitan Airports Commission to delay action on said program until their February meeting.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2002R-004 requesting that the Metropolitan Airports Commission to delay action on the Part 150 Sound Insulation Program - 60-64 dnl contour, was passed January 18, 2002 by the City Council and approved January 23, 2002 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2002R-004**  
**By Colvin Roy and Benson**

**Requesting the Metropolitan Airports Commission to delay action on the Part 150 Sound Insulation Program - 60-64 dnl contour.**

Whereas, Minneapolis City Goals include the reduction of negative environmental impacts of the MSP Airport while maintaining its economic benefits to the people who live, work and play in Minneapolis; and

Whereas, in 1996 the Minnesota Legislature made the final decision to continue the development of MSP in its current location and directed the Metropolitan Airports Commission (MAC) to implement the MSP 2010 Long Term Comprehensive Plan; and

Whereas, with this decision the legislature also directed MAC to develop a noise mitigation plan which includes aggressive steps to mitigate aircraft noise in the surrounding communities; and

Whereas, the Part 150 Sound Insulation Program has been a critical tool to meet airport, legislative and city goals; and

Whereas, the Metropolitan Airports Commission is currently re-considering the Part 150 Sound Insulation Program portion of the Minneapolis-Saint Paul (MSP) 14 CFR Part 150 Update: Updated Noise Exposure Map and Noise Compatibility Program finalized and submitted to the Federal Aviation Administration on November 16, 2001; and

Whereas, with the very recent inauguration of a new Mayor and City Council in Minneapolis there has been little time for consideration and discussion of the ramifications of this important decision;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Metropolitan Airports Commission is formally requested to delay a decision on this important matter until their regularly scheduled Commission meeting in February.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends that the proper City officers be directed to negotiate an agreement with the Metropolitan Council to allow placement of a signal and communications bungalow for the light rail transit system within the Government Center Municipal Parking Ramp (Petn No 267604) at no cost to the city.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the Portland Avenue Project, now recommends passage of the accompanying resolution increasing the project appropriation.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-005**  
**By Colvin Roy and Johnson**

**Amending the 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works Paving Construction Capital Agency in the Permanent Improvement Fund (4100-937-9372) by \$200,000 and increasing the revenue source (4100-937-9372 - Source 3220-01) by \$250,000.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget-** Your Committee, having under consideration facility renovation at the Minneapolis Police Downtown Command, now recommends acceptance of the low bid submitted by Gen Con, Inc., OP #5763, in accordance with City specifications (Petn No 267606) in the amount of \$1,795,158 to accomplish this renovation.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for the above service in accordance with specifications.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 18, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 22, 2002)

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

**W&M/Budget** - Your Committee, having under consideration KIVA, a building inspections and information system used by the Licenses, Inspections, Assessor and Geographic Information Services (GIS) Divisions and having received a staff recommendation for amendments to the maintenance contract for said system, now recommends:

a) That the proper City officers be authorized to increase Contract #11164 with KIVA, Inc. by \$148,762 to be used for an upgrade to the existing system at a cost of \$112,350 (payable from 4100-972-850) and to provide for annual maintenance of the business application software at a cost of \$36,412 (payable from 6400-880-8824) for 2001; and

b) Authorization for an annual increase to said contract for maintenance until the software is no longer used, at an annual cost not to exceed \$50,000 (payable from 6400-880-8824).

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, to whom was referred an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, increasing service charges for returned checks and allowing future changes that will follow Minnesota Statute 332.50, now recommends that said ordinance be given its second reading for amendment, passage and summary publication.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2002-Or-001 amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, amending Section 91.35 to increase service charges for returned checks and allow future changes that will follow Minnesota Statute 332.50, was passed January 18, 2002 by the City Council and approved January 23, 2002 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2002-Or-001**

**By Johnson**

**Intro & 1st Reading: 12/14/2001**

**Ref to: W&M/Budget**

**2nd Reading: 1/18/2002**

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**Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 91.35 of the above-entitled ordinance be amended to read as follows:

**91.35. Service charges.** (a) When an agency or person other than the owner-occupant of one- or two-family dwelling requests that research work or service be performed by the department of inspections, a research fee of fifty dollars (\$50.00) per hour, at a minimum charge of one hour, shall be imposed.

(b) For each check returned as nonnegotiable due to insufficient funds, closed account or other reason, a bad-check charge of ~~fifteen dollars (\$15.00)~~ thirty dollars (\$30.00) shall be collected together with the face amount of the returned check. In the future, this amount shall change to follow Minnesota State Statute 332.50, subd. 2(d), as amended.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of John Moir to serve as City Coordinator for the period of February 1, 2002 through January 2, 2004 and, having held a public hearing thereon, now recommends approval of said appointment.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute change orders to the following contracts for additional work required on the Convention Center Expansion Project, increasing the contracts by the amounts indicated, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751):

a) Change Order #2 to Contract #15817 with Gephart Electric Company, increasing the contract by \$13,005, for a new contract total of \$945,003;

b) Change Order #5 to Contract #15186 with Impulse Group, Inc., increasing the contract by \$77,771, for a new contract total of \$8,858,850;

c) Change Order #15224 with Premier Electric Corporation, increasing the contract by \$81,300, for a new contract total of \$15,775,400;

d) Change Order #13 to Contract #15156 with Kellington Construction, Inc., increasing the contract by \$104,830, for a new contract total of \$18,911,385.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 18, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 22, 2002)

**W&M/Budget** - Your Committee, having under consideration requests to insert information into the City's utility bill mailings, now recommends that staff be directed to allow for the following:

a) An insert informing residents of the Southside Minneapolis Housing and Home Improvement Fair and The Teen and Job Opportunity Fair (to be included with the February 2002 utility bills);

b) An insert requested by Hennepin County Environmental Services informing and encouraging citizens about bins for backyard composting (to be included with the February 2002 utility bills).

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.  
Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the City Attorney's recommendation for settlement of the Workers Compensation claim of Wallace Benson, now recommends approval of a payment in the amount of \$200,000 for a full, final and complete settlement of said claim. The settlement is payable from the Self-Insurance Fund (6900-145-1456) and will be fully reimbursed by The State of Minnesota Special Compensation Fund.

Adopted. Yeas, 12; Nays none.  
Absent - Johnson Lee.  
Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the City's Criminal Background Check Policy and Procedures as approved on October 12, 2001, now recommends approval of amendments to said document (as contained in Petn No 267615) with the understanding that said policy modifications are recommended to address concerns raised by a City labor union.

Adopted. Yeas, 12; Nays none.  
Absent - Johnson Lee.  
Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having been notified that US Bank has donated funds to be used for expenses related to the Minneapolis Empowerment Zone Strategic Visioning Conference, now recommends that the proper City officers be authorized to accept said \$1,500 donation.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the City Coordinator Agency to reflect receipt of said funds.

Adopted. Yeas, 12; Nays none.  
Absent - Johnson Lee.  
Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-006**

**By Mead**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Grants-Other Fund (0600-840-8460) by \$1,500 and increasing the revenue source (0600-840-8460 - Source 3720) by \$1,500.

Adopted. Yeas, 12; Nays none.  
Absent - Johnson Lee.  
Passed January 18, 2002.  
Approved January 23, 2002. R.T. Rybak, Mayor.  
Attest: M. Keefe, City Clerk.



**W&M/Budget** - Your Committee, having under consideration previous approval of the allocation of Community Development Block Grant (CDBG) funds in the amount of \$325,000 to the Minneapolis Public Housing Authority (MPHA) for its Mobility Counseling Program to fulfill the City's obligations under the *Hollman vs. Cisneros* decree, now recommends that the proper City officers be authorized to develop and execute Amendment #14 to the City's contract with the MPHA (Contract #7624) in order to provide the funds and clarify the scope of services to be provided.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that Steve Hanson be authorized to receive Step Five of the salary scale for the position of District Supervisor, Construction Inspection Services, based on the recommendation of the Inspections Division of Operations and Regulatory Services.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having been informed by the Office of Cultural Affairs that the National City Bank Foundation for Arts has donated \$1,000 for the 2002 Arts in the Parks program, now recommends approval to accept said funds, to be allocated to the City Coordinator Agency (0100-840-8450).

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the report of a staff committee established to examine the possibility of an alternative approach to the provision of payment and performance bonds required by Minnesota law for contractors on larger public construction contracts and having received the group's recommendation that further study is warranted before an alternative approach is considered for the new Central Library Project, now recommends that the new Central Library Project Implementation Committee be directed to continue to examine alternative bonding approaches for that project and make recommendations to the Library Board and City.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the 2002 International Chief's of Police Conference that will be in Minneapolis from October 5 through 9 and the City's responsibility to provide certain services and activities during the conference and having been informed that the Greater Minneapolis Convention and Visitors Association (GMCVA) will be undertaking a fundraising campaign to pay for said expenses, now recommends that the City agrees to accept funding responsibility for any shortfall from donated funds or other revenue as may be required for conference requirements.

Johnson moved that the report be referred back to the Ways & Means/Budget Committee.  
Seconded.

Adopted upon a voice vote.

The **ZONING & PLANNING** Committee submitted the following reports:

**Z&P** - Your Committee, having under consideration the appeal filed by Janet Graham, on behalf of Ventura Village, from the decision of the Planning Commission approving land use applications of Project for Pride in Living, for Collaborative Village Initiative, at 815 & 819 Franklin Ave, 2000, 2018 & 2022 Elliot Ave S, for conditional use permit for supporting housing facility serving 128 persons and 2 commercial uses, variances to increase maximum number of people served, required parking and setbacks, and site plan review, as set forth in Petn No 267620, and having conducted public hearings thereon, now recommends that said appeal be denied and the decision of the Planning Commission be upheld.

Your Committee further recommends that the Findings of Fact prepared by the City Attorney and on file in the Office of the City Clerk be made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the application of Project for Pride in Living, for Collaborative Village Initiative (BZZ-297) to rezone property at 815 Franklin Ave, 819 Franklin Ave, 2000 Elliot Ave S, 2018 Elliot Ave S and 2022 Elliot Ave S from the C1 and R2B Districts to the OR2 District to permit a supportive housing facility serving 128 persons and 2 commercial uses, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267620 and to approve said application.

Your Committee further recommends passage and summary publication of the accompanying ordinance amending the Zoning Code.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2002-Or-002 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, amending Section 521.30 by changing the zoning district for a parcel of land, was passed January 18, 2002 by the City Council and approved January 23, 2002 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2002-Or-002**

**By Schiff**

**1<sup>st</sup> & 2<sup>nd</sup> Readings: 1/18/2002**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

Lot 3 and the West 27 feet of Lot 2, all in Block 4, "Herrick's Addition to Minneapolis", together with an easement for driveway purposes over and across the East 8 feet of the West 35 feet of Lot 2, Block 4, "Herrick's Addition to Minneapolis" (Being registered land as is evidenced by Certificate of Title No. 1065896); Lot 1 and the East 23 feet of Lot 2, Block 4, Herrick's Addition to Minneapolis, except part taken for widening Franklin Avenue (Abstract Property); Lot 9 and the South 86 1/2 feet of Lots 10 and 11, Block 4, Herrick's Addition to Minneapolis, except that part, if any contained in the North 45 feet of Lots 10 and 11, Block 4, Herrick's Addition to Minneapolis, Hennepin County, Minnesota (Abstract Property); The North 45 feet of Lots 10 and 11, Block 4, Herrick's Addition to Minneapolis, Hennepin

County, Minnesota (Abstract Property); (815 Franklin Ave, 819 Franklin Ave, 2000 Elliot Ave S, 2018 Elliot Ave S and 2022 Elliot Ave S - Plate 20) to the OR2 District.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the City's affordable housing initiative as it relates to zoning issues, now recommends that the following resolutions be sent forward without recommendation:

a) Directing the Minneapolis Planning Department to undertake a comprehensive review of the Zoning Code in relation to the City of Minneapolis' Affordable Housing Initiative; and

b) Directing the Minneapolis Planning Department to undertake a comprehensive review of the City's residential zoning patterns in relation to the City of Minneapolis' Affordable Housing Initiative.

Schiff moved to substitute two new resolutions for the above-mentioned resolutions. Seconded.

Adopted upon a voice vote.

Schiff moved that the report be amended by deleting the language, "that the following resolutions be sent forward without recommendation" and inserting in lieu thereof, "passage of the accompanying substituted resolutions." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-007**

**By Schiff, Ostrow**

**Directing the Minneapolis Planning Department to undertake a comprehensive review of the Zoning Code in relation to the City of Minneapolis' Affordable Housing Initiative.**

Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent, affordable housing; and

Whereas, the shortage of affordable rental and ownership housing in Minneapolis is severe and has significantly worsened in recent years; and

Whereas, a shortage of affordable housing creates severe hardship for low-income families and their children, and for vulnerable single adults and seniors. It is an important contributing factor to homelessness. It makes it more difficult for employers to attract and retain productive workers. It forces many families to move frequently and thus contributes to children's inability to perform well in school; and

Whereas, The Minneapolis Plan calls for an increase in the supply of housing for all incomes, providing greater variety, mix and appropriate density in housing choices. Housing choice is especially important to low-income families who are the most constrained in their ability to choose housing; and

Whereas, the revitalization of neighborhood commercial nodes, community and commercial corridors has emerged as a City priority, and the Minneapolis Plan recognizes that the quality and health of our urban commercial areas is dependent on the support and development of a variety of uses with density appropriate to preserve and create additional opportunities for housing development in close proximity to commercial areas; and

Whereas, while the affordable housing deficit is recognized to be a metro-wide issue, and can only be adequately addressed by actions in multiple municipalities and at the regional and state level, the City of Minneapolis can play a leadership role in addressing the regional need through the demonstration of a high local commitment to the resolution of the issue.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Planning Department is directed to:

1. Undertake a comprehensive review of Zoning Code provisions related to residential development.
2. Identify underlying policy considerations relevant to potential changes to the Zoning Code.
3. Solicit and utilize input from relevant constituencies and the general public in the development of menu of potential zoning code changes.
4. By March 31, 2002, prepare a report to the City Council identifying a menu of potential changes to the Zoning Code that merit consideration because of their effect on the development of affordable housing. Areas of attention should include provisions related to minimum lot and unit sizes, density and variety of development uses, supportive housing, shelters, and accessory units.
5. By March 31, 2002, prepare a proposed work program and timeline for implementation of changes to Zoning Code. The work program should allow adequate time for City Council policy deliberation and appropriate public feedback on potential changes.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2002R-008**

**By Schiff, Ostrow**

**Directing the Minneapolis Planning Department to undertake a comprehensive review of the City's residential zoning patterns in relation to the City of Minneapolis' Affordable Housing Initiative.**

Whereas, it is the goal of the City of Minneapolis that all of its citizens live in safe, decent, affordable housing; and

Whereas, the shortage of affordable rental and ownership housing in Minneapolis is severe and has significantly worsened in recent years; and

Whereas, a shortage of affordable housing creates severe hardship for low-income families and their children, and for vulnerable single adults and seniors. It is an important contributing factor to homelessness. It makes it more difficult for employers to attract and retain productive workers. It forces many families to move frequently and thus contributes to children's inability to perform well in school; and

Whereas, The Minneapolis Plan calls for an increase in the supply of housing for all incomes, providing greater variety, mix and appropriate density housing choices. Housing choice is especially important to low-income families who are the most constrained in their ability to choose housing; and

Whereas, the revitalization of neighborhood commercial nodes, community and commercial corridors has emerged as a City priority, and the Minneapolis Plan recognizes that the quality and health of our urban commercial areas is dependent on the support and development of a variety of uses with density appropriate to preserve and create additional opportunities for housing development in close proximity to commercial areas; and

Whereas, while the affordable housing deficit is recognized to be a metro-wide issue, and can only be adequately addressed by actions in multiple municipalities and at the regional and state level, the City of Minneapolis can play a leadership role in addressing the regional need through the demonstration of a high local commitment to the resolution of the issue.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Planning Department is directed to:

1. Undertake a comprehensive review of the City's residential zoning patterns.
2. Identify underlying policy considerations relevant to potential changes to zoning of residential property.
3. Solicit and utilize input from relevant constituencies and the general public in the identification of areas of potential change.

4. By March 31, 2002, prepare a report to the City Council identifying a menu of potential changes to the zoning of residential property that merit consideration because of their effect on the development of affordable housing. Areas of attention should include the City's community and commercial corridors and transit routes, zoning density and nonconforming properties, and areas around the City's activity centers.

5. By March 31, 2002, prepare a proposed work program and timeline for implementation of changes to the zoning of residential property. The work program should allow adequate time for City Council policy deliberation and appropriate public feedback on proposed changes.

Adopted. Yeas, 13; Nays none.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

### MOTIONS

Johnson, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of February, 2002, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Lilligren moved to amend the *2002 City Council Committee Schedule and Members* passed by the Council on January 2, 2002, and as shown in Petition No 267595, as follows:

a) Amend the membership on the Claims Committee to include Council Member Zerby and remove Council President Ostrow.

b) Amend the membership on the Community Development Committee to include Council President Ostrow and remove Council Member Johnson.

c) Amend the meeting time for the Community Development Committee to be 1:30 p.m. on the first Monday of the first Council cycle.

d) Appoint Vice Chairs to Committees as follows:

Community Development	Benson
Health & Human Services	Zerby
Intergovernmental Relations	Ostrow
Public Safety & Regulatory Services	Niziolek
Transportation & Public Works	Lilligren
Ways & Means/Budget	Zerby
Zoning & Planning	Zimmermann

Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Biernat moved to appoint Council Member Johnson as the Council representative on the Minneapolis Employees Retirement Fund (MERF) Board. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Zerby introduced the subject matter of Ordinances amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, and Chapter 551 relating to *Zoning Code: Pedestrian Overlay Districts*, which were given their first reading and referred to the Zoning & Planning Committee (Relating to rebuilding or replacing existing fast food restaurants and drive through facilities).

## RESOLUTIONS

Ostrow, Zerby, Biernat, Johnson, Johnson Lee, Zimmermann, Goodman, Lilligren, Schiff, Niziolek, Benson, Colvin Roy and Lane offered a Resolution honoring Michola Foley, Council Committee Coordinator, for her 21 years of service to the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Not Published. See Resolution 2002R-009 of file in the office of the City Clerk.)

The following is the complete text of the unpublished resolution.

### RESOLUTION 2002R-009

**By Ostrow, Zerby, Biernat, Johnson, Johnson Lee, Zimmermann, Goodman,  
Lilligren, Schiff, Benson, Niziolek, Colvin Roy and Lane**

**Honoring Michola Foley, Council Committee Coordinator, for her 21 years of service to the City of Minneapolis.**

Whereas, Michola Foley has served the City of Minneapolis since January 1981 when she was hired to work in the Inspections Division as a Clerk Steno I; moved to the Mayor's office in 1983 as a Clerk Steno II; and has been a Council Committee Coordinator in the City Clerk's office since 1985; and

Whereas, Michola has been employed by the City of Minneapolis during the terms of three Mayors and 37 Council Members; and

Whereas, Michola provided the Charter Commission and the Reapportionment Committee with invaluable assistance for seven years and worked tirelessly when composing Section 5 in the *Redbook* on the procedures for amending the City Charter; and

Whereas, Michola has established herself as a major asset to the City Council while recording motions, clarifying actions and generally keeping order for the Community Development, Energy & Technology, Intergovernmental Relations and Zoning & Planning Committees; and

Whereas, Michola came into the City Clerk's office in 1985 just as computers were being introduced in that office and has survived four software changes and numerous upgrades since then and is now leaving the office during this exciting transition from paper packets to electronic packets for the Committees; and

Whereas, Michola has been a meticulous and dedicated Committee Coordinator who provided support during more than 850 Committee meetings; and

Whereas, Michola will certainly enjoy the absence of never-ending deadlines and Committee minutes; and

Whereas, Michola is very health conscious and is known for her assortment of interesting meals of fruits and vegetables and will now have time to enjoy her passion for gardening; and

Whereas, Michola enjoys traveling in the United States and in far-off places like Paris, France;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank Michola Foley for her outstanding Committee support and dedication to the City of Minneapolis and wish her complete happiness and peace in her further endeavors.

That we wish Michola many wonderful experiences traveling in many corners of the world and also to places close to her home in Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

Ostrow, Zerby, Biernat, Johnson, Johnson Lee, Zimmermann, Goodman, Lilligren, Schiff, Niziolek, Benson, Colvin Roy and Lane offered a Resolution honoring Kathleen O'Brien for her service and exemplary leadership in her role as City Coordinator for the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

(Not Published. See Resolution 2002R-010 of file in the office of the City Clerk.)

The following is the complete text of the unpublished resolution.

**RESOLUTION 2002R-010**

**By Ostrow, Zerby, Biernat, Johnson, Johnson Lee, Zimmermann, Goodman,  
Lilligren, Schiff, Benson, Niziolek, Colvin Roy and Lane**

**Honoring Kathleen O'Brien for her service and exemplary leadership in her role as City Coordinator for the City of Minneapolis.**

Whereas, In January 1982, Kathleen O'Brien began a seven-year term with the Minneapolis City Council, serving as Council Member of the Second Ward from 1982 to 1989; and

Whereas, Kathleen O'Brien provided leadership throughout her tenure as Council Member, serving on multiple committees, boards and commissions, including the Planning Commission, co-chairing the original Labor Management Committee, chairing the Ways & Means Committee and serving as Majority Leader; and

Whereas, Kathleen O'Brien returned to the city from a promising career at the University of Minnesota to serve as City Coordinator in February 1994; and

Whereas, Kathleen O'Brien advanced the professionalism of the Minneapolis City Council and its elected members, fostering partnerships in an inherently political environment; and

Whereas, Kathleen O'Brien's candor, genuine pursuit of public purpose, and intelligence served as an invaluable and unfailing resource for Minneapolis' elected leadership, department heads, and staff past and present; and

Whereas, distinguished personnel rallied around her direction and vision, electing to work for the City of Minneapolis and believing in her ability to realize change and make a difference; and

Whereas, Kathleen O'Brien championed strategic planning and goal setting, helping to make the city more focused in its provision of services, and improving its overall efficiency, effectiveness, and responsiveness; and

Whereas, Kathleen O'Brien managed multiple significant projects from conception to reality, securing legislative support and funding and laying the foundation for success of the convention center expansion, the redevelopment of the Near Northside, and planning for the development of Minneapolis' new central library – projects which will undoubtedly transform the landscape of our community, enhance our civic life, and provide further opportunities for employment and affordable housing; and

Whereas, Kathleen O'Brien directed the application process for the City's Empowerment Zone designation, securing over \$30 million in federal and state funding to realize economic recovery and expand opportunity for Minneapolis' most impoverished and disenfranchised communities; and

Whereas, Kathleen O'Brien possessed the vision and passion to focus on business information solutions, driving advancements in technology through her encouragement, efforts to secure funding and knowledge in driving the consolidation and centralization of our information systems, building a more solid city information systems infrastructure; and

Whereas, Kathleen O'Brien initiated and helped design the City's facilities management program to ensure coordination between the Building Commission and various municipal departments; and

Whereas, Kathleen O'Brien earned the respect of legislators at the state and federal level regardless of party affiliation; and

Whereas, Kathleen O'Brien has been referred to as the "infrastructure queen", proving instrumental in the creation of the Office of Cultural Affairs, its process and policies, and ensuring the integration of the Arts into our urban fabric; and

Whereas, Kathleen O'Brien has accomplished all this and so much more while supervising over 900 persons across ten different departments that provide the administration of the City organization;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Kathleen O'Brien is to be commended for her leadership, effectiveness and tireless public service and for challenging elected officials and staff, and for giving us the courage and spirit to move forward in times of uncertainty.

Be it Further Resolved that the residents of the City of Minneapolis, wish Kathleen O'Brien and her family all the happiness, peace and prosperity the world can offer as she ends her exemplary career as City Coordinator and her long history directing the leadership of our great city.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

## UNFINISHED BUSINESS

Bryn Mawr Tire and Bait Center (328 S Cedar Lake Rd): Revoke SP 260 and Motor Vehicle Repair Garage, Gas Station, Tobacco and Grocery Licenses for failure to complete site plan review process. (Postponed 12/28/2001)

**PS&RS & Z&P** – Your Committee, having under consideration the Site Plan Review Permit SP-260 to allow a minor automobile repair business at 328 South Cedar Lake Road, on file in the Zoning Office, and having under consideration the Motor Vehicle Repair Garage, Gas Station, Tobacco and Grocery Licenses held by Bryn Mawr Tire and Bait Center, and having held hearings to determine whether the terms of said permit have been violated and whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 259 relating to *Licenses and Business Regulations: In General* and Chapter 317 relating to *Licenses and Business Regulations: Motor Vehicle Repair Garages*, now recommends that SP-260 and the business licenses be revoked.

Adopted. Yeas, 12; Nays none.

Absent - Johnson Lee.

Passed January 18, 2002.

Approved January 23, 2002. R.T. Rybak, Mayor.

Attest: M. Keefe, City Clerk.

## NEW BUSINESS

Johnson offered an Ordinance amending Title 2, Chapter 14 of the Minneapolis Code of Ordinances relating to *Administration: In General*, which was given its first reading and referred to the Ways & Means/Budget Committee (Amending Section 14.130 relating to leasing of private property).



Goodman moved that the meeting be adjourned. Seconded.  
Adopted. Yeas, 12; Nays none.  
Absent - Johnson Lee.  
Adjourned.

MERRY KEEFE,  
City Clerk.